

THIRTY-FIFTH DAY

(Continued)

(Wednesday, March 15, 1995)

AFTER RECESS

The Senate met at 9:30 a.m. and was called to order by the President.

LETTER OF AUTHORIZATION**THE SENATE OF THE STATE OF TEXAS**

March 13, 1995

The Honorable Bob Bullock
Lieutenant Governor of Texas
State Capitol Building
P.O. Box 12068
Austin, Texas 78711

RE: S.B. 945

Dear Governor Bullock:

The above referenced Senate Bill is a bill that I have filed and that is being co-authored by Senator Ken Armbrister.

I am designating Senator Armbrister to act on my behalf in regard to the above numbered bill and, during my absence, authorize management, control, and the procession of the said bill at Senator Armbrister's discretion; please allow this letter to be indicative of this intention.

Sincerely,

/s/Bill Sims
State Senator

MESSAGE FROM THE HOUSE

House Chamber
March 15, 1995

Mr. President: I am directed by the House to inform the Senate that the House has passed the following:

H.B. 1204, Relating to the punishment for contempt of certain persons who fail to respond to a jury summons.

H.B. 988, Relating to home collection kits for human immunodeficiency virus infection testing; providing penalties.

H.B. 840, Relating to the enforcement of the limitation on the amount that certain municipalities may retain from amounts collected for traffic violations.

H.B. 637, Relating to certification of court reporters.

H.B. 839, Relating to imposing a limitation on the amount of special expenses that certain municipalities may retain from amounts collected in certain court proceedings.

Respectfully,

Cynthia Gerhardt, Chief Clerk
House of Representatives

SENATE CONCURRENT RESOLUTION 83

Senator Montford offered the following resolution:

WHEREAS, The Legislature of the State of Texas is pleased and proud to recognize the Honorable Preston Smith, former Governor of the State of Texas, on the joyous occasion of his 83rd birthday; and

WHEREAS, Born March 8, 1912, on a tenant farm in Williamson County, he began his education at a one-room Mount Prospect school; young Preston's family moved to a Dawson County farm in 1923; determined to get an education, he worked his way through Lamesa High School in a variety of jobs; and

WHEREAS, Dedicated and hardworking, he earned the money to pay his expenses for Texas Tech University by picking cotton, operating a service station, cleaning windows, and running student rooming houses; and

WHEREAS, Preston Smith met his bride-to-be, Ima Smith of Ralls, in economics class, where the students were seated in alphabetical order; they were married on June 20, 1935; a true helpmate, Ima created a warm and loving home for her husband and their two children, Mickey and Jan; and

WHEREAS, Innovative and industrious, he entered the theater business with a friend in 1936 and by 1944, the self-made man owned several theaters; and

WHEREAS, Devoted to public service and armed with a desire to give back to the community that had nurtured him, Preston Smith served in the 49th, 50th, and 51st legislatures as the representative from Lubbock; he was also becoming very active in real estate and ranching; and

WHEREAS, In 1956, Preston Smith was elected to the Texas Senate, where he ably represented West Texas; he continued to represent that area throughout the 55th, 56th, and 57th legislatures; and

WHEREAS, During the 1962 elections, he defeated his opponent in a runoff and became lieutenant governor; he served brilliantly as lieutenant governor during the 58th, 59th, and 60th legislatures; and

WHEREAS, A renowned and highly respected public figure, he was the first lieutenant governor since before the Civil War to move directly to the office of governor; and

WHEREAS, In 1968, he captured the office of governor; he was so popular in this office that in 1970, he became the first Texan in history to run for governor without an opponent at the Democratic Nominating Convention; and

WHEREAS, Governor Smith served his state with an indefatigable zest for public service, emulating his heroes, Lyndon B. Johnson and Allan Shivers; and

WHEREAS, After he left the office of governor and a superlative career of 22 years of public service, he did not shirk from further civic responsibility; in 1981, he was appointed to the Coordinating Board, Texas College and University System, so he could further serve the citizens of Texas and stress his dedication to educational excellence; and

WHEREAS, In a fitting tribute to their commitment to education, Ima and Preston Smith have been honored as Distinguished Alumni of Texas Tech University; and

WHEREAS, A man of integrity and compassion, he is beloved by his family, friends, business colleagues, and state; his deep love of Texas and his fellow citizens has immeasurably benefitted the Lone Star State; now, therefore, be it

RESOLVED, That the 74th Legislature of the State of Texas hereby extend heartiest congratulations to the Honorable Preston Smith on his 83rd birthday and offer best wishes to him for many more birthdays to come; and, be it further

RESOLVED, That a copy of this resolution be prepared for him as an expression of the highest regard of the Texas Legislature.

The resolution was again read.

On motion of Senator Truan and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

The resolution was previously adopted on Wednesday, March 8, 1995.

REMARKS ORDERED PRINTED

On motion of Senator Truan and by unanimous consent, the remarks of the Lieutenant Governor, Senator Montford, and former Governor Preston Smith were ordered reduced to writing and printed in the Senate Journal as follows:

Senator Montford: Members, we are honored today to have former Governor Preston Smith and his bride, Ima, with us here. I guess a lot of things have changed since Preston's tenure in 1969 through 1972. I have a picture here of his staff during those years. It is incredible. If you would come look at this picture, of course, you will recognize everybody in there. It does not look like these people have aged a day, and you would think it would be the converse. Lieutenant Governor Bullock is standing next to Governor Smith. I believe you look younger today, Governor Bullock, than you did then.

Lieutenant Governor Bullock: Well, let us stick to the truth back there, Senator Montford.

Senator Montford: Well, I was going to explain why, but I will not get into it. But anyway, Governor Smith is an extraordinary person. He and Ima typify, I think, the tough West Texas spirit, the hard work ethic that applies to all Texans—rising from humble beginnings, picking cotton to pay his way through Texas Tech University, and then going on to a great career in service to Texas. He represented West Texas in the Senate, he presided over the Senate, our Senate, as Lieutenant Governor, and he won the popular vote with his election to the governorship in 1968.

Like a lot of the great stories he tells me, Preston used to, occasionally, over there in the Governor's office, pick up the phone and answer it, "Governor's office." He would answer it himself when constituents would call in, and they would be indeed shocked and amazed. He is a genuine Texan.

Governor Smith and Ima, I believe, are an important part of the legacy of the great State of Texas. He is a dear friend; they are dear friends to our Lieutenant Governor and all of our Members of the Senate. Ladies and gentlemen, would you please help me extend a warm welcome to this very distinguished Texas couple.

Lieutenant Governor Bullock: I would like to add just a comment or two, if I may, to what the distinguished Senator from Lubbock said. Preston Smith is the most amazing man I ever knew, an example of a young man who set his sights on improvement, who wanted to be Governor of Texas since he was a young man. He achieved those sights: Member of the House, Member of the Senate. Senator Montford, we talk about how times have changed since he was elected in '69. A lot of the problems that we have today were addressed by Preston Smith during his tenure. He had a program called Texas Communities for Tomorrow—talked about the need for the infrastructure of our cities and our counties, reports about criminal justice in those days, juvenile justice. He had the first commission on children. And if you read that report that was prepared in 1970, it is the same report that Jimmy Turner turned out this year. It is the same report, in the fact that we need to do more for our children for the future, because that is our future.

Preston Smith answered his telephone. He was the first Governor, in my knowledge, to begin truly an open-door policy. If you wanted to see your Governor, you walked in and he would see you. There were not any appointments, you just walked in to see him. Many a night at the mansion, when I was sitting over there with him and the others in the staff, the phone would ring. The first one to pick it up was Preston Smith.

He truly set an example for Texas; a man before his time and my dear friend, who personally I love very much. And I love Miss Ima, who, in my opinion, is still the most beautiful First Lady of Texas that we ever had. Governor Smith is our eldest living Governor of Texas, and I think on this occasion, since he presided over this body for six years, I would ask for him to say a few remarks to the Senators who are here.

Governor Smith: Thank you very much, Governor Bullock, Senator Montford and Members of the Texas Senate, and distinguished guests. You know, I have served where Governor Bullock is now serving. I have sat where the Senators are now sitting. I did serve six years across the hall as a Member of the House of Representatives. In all of those positions, it really was a pleasure just to serve with the people.

Thirty-two years ago, I stood where I am standing today and began presiding over the Texas Senate. Never was there a more enjoyable responsibility handed to me than to do that very thing. The Senate is one of the most awesome political bodies or governmental bodies, I would say the Texas Senate is, that exists in the United States today. While serving with you and the people of this state as their Lieutenant Governor and as their Governor, we had many opportunities to visit with many other state

governments at governors' association meetings and at legislative conferences and so forth. The problems that we had back when I served do not, to those of you who are serving now, seem nearly as much pressure on you, but they were the same, relatively speaking. If you remember when I served, or began serving as a member of the state government, this state was not more than half the population that it is now. As the population grows, of course, you have more problems, and you have to assume those problems. Some way or other you have to reach a consensus on their resolution. And you always have.

It is such an honor for me to stand here, where Bob Bullock stands today. I would not have been elected Governor had it not been for Bob Bullock and others who were so helpful to me. He joined my campaign in 1968 along with an associate of mine from Lubbock, Texas, by the name of Larry Teaver. You cannot imagine what a tremendous job that Governor Bullock did with the contacts that he had over this state. I was just indeed fortunate to have had his help. And then after I served as Governor for some time with the people, the office of Secretary of State became open. I remember having called Bob—he was a legal assistant to the Governor then—into my office (I believe I was in Houston) and asked him would he serve? And he said, "Certainly I would serve, Governor, if you would ask me to," and so I did.

He did a tremendous job, and he went from there, of course, to the State Comptroller's office. He did tremendously good over there, and then he came in as Lieutenant Governor. I have often wondered why he would make all those changes, but Bob is so capable and so intelligent in the affairs of government that he wanted to offer his services to the people and work with the people, and that is what he does in most every capacity. I asked his wife, Jan, once why would he leave the Comptroller's office, which pays so much more, to come over to be Lieutenant Governor? And she said it was a challenge; he just thought he could render more service to the people directly by serving as the Lieutenant Governor.

Now I want to express to each of you my deep gratitude for your having passed this resolution. So far as I know, it is the first time that a resolution of this nature has been passed. I think Senator Montford did this for me some years ago, but I do not think it was designated, March 8, as Preston Smith Day in Texas. I do not know that any other Governor has had that distinct honor. We really do appreciate it. You know, there is a first time for a lot of things. March 8 was the first time that I reached the age of 83, and then this resolution here, I noticed, is Senate Concurrent Resolution Number 83. It seemed like the 83 might have been transposed; maybe it should have been 38, John.

But the years have been wonderful to us, and being here and standing before the Senate as I am today brings back so many wonderful, wonderful memories that never will I forget. Some of the people who worked with me while I served as Lieutenant Governor, Betty King here, and others, they are still here, just as beautiful and, I am sure, just as efficient as they ever were. And it is so nice to have my wife come with me. She does not go with me everywhere, as she did not when I ran for Governor: she was taking care of the kids. And now we take care of the grandkids. But

she came with me today, and we are real honored that you would have us here on the floor of the Senate. And, if we can ever help in any way, why, we are in Lubbock. We are associated now with Texas Tech, and I have the privilege to work with Senator Montford and others on occasion. Thanks so much for your wonderful, wonderful work you are doing and for passing this little resolution for me.

CAPITOL PHYSICIAN

Senator Leedom was recognized and presented Dr. Tim Lambert of Garland as the "Doctor for the Day."

The Senate welcomed Dr. Lambert and thanked him for his participation in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians.

SENATE RESOLUTION 433

Senator Turner offered the following resolution:

WHEREAS, The Senate of the State of Texas is proud to recognize the members of the Silver-Haired Legislature who meet for the purpose of considering and drafting resolutions concerning the needs of older Texans; and

WHEREAS, Silver-Haired legislators generously volunteer their time and energy, serving without compensation, on behalf of Texas' elderly population; and

WHEREAS, Elected for a two-year term, representatives make a valuable contribution to the state by informing the state legislature of the requirements of older Texans and identifying concerns for the future; and

WHEREAS, Goals established by the Silver-Haired Legislature include encouraging legislative involvement by older citizens in an effort to help them become a viable political force in their communities; and

WHEREAS, The Silver-Haired Legislature also provides an avenue through which older citizens may serve as a resource to public and private sectors, boards, and commissions; and

WHEREAS, The Silver-Haired Legislature is a nonpartisan organization comprised of men and women who are respected leaders in their communities and exemplary citizens; it is important that these individuals be recognized for the significant contributions they make to their state; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 74th Legislature, hereby commend the Silver-Haired Legislature for its hard work and extend best wishes for an enjoyable session; and, be it further

RESOLVED, That copies of this Resolution be prepared for members of the Silver-Haired Legislature as an expression of high regard from the Texas Senate.

The resolution was read.

On motion of Senator Truan and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Turner, the resolution was adopted by a viva voce vote.

(Senator Truan in Chair)

GUESTS PRESENTED

Senator Turner was recognized and introduced to the Senate members of the Texas Silver-Haired Legislature: Speaker Homer W. Lear of San Antonio, Speaker Pro Tempore Ruth West of Pittsburg, Deputy Speaker Pro Tempore Bill McCaffrey of Temple, Comptroller L. Z. Edwards of Gatesville, Secretary Stan Kunkle of Pottsboro, and Legislative Committee Chair John Holterman of San Marcos.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Nelson was recognized and introduced to the Senate Carol Johns and Carissa Heasely, who are enrolled at Mountain View Community College of Dallas.

The Senate welcomed its guests.

SENATE RESOLUTION 428

Senator Ellis offered the following resolution:

S.R. 428, Paying tribute to the gifted and talented students of Texas and extending best wishes for their future.

The resolution was read and was adopted by a viva voce vote.

SENATE RESOLUTION 435

Senator Zaffirini offered the following resolution:

S.R. 435, Designating March 15, 1995, as "Diabetes Day at the State Capitol."

The resolution was read and was adopted by a viva voce vote.

**INTRODUCTION OF
BILLS AND RESOLUTIONS POSTPONED**

The Presiding Officer announced that the introduction of bills and resolutions on first reading would be postponed until the end of today's session.

CONCLUSION OF MORNING CALL

The Presiding Officer at 10:05 a.m. announced the conclusion of morning call.

**COMMITTEE SUBSTITUTE
SENATE BILL 60 ON SECOND READING**

The Presiding Officer laid before the Senate **C.S.S.B. 60**. Further consideration of the bill was postponed Tuesday, March 14, 1995, to a time

certain of 10:00 a.m. Wednesday, March 15, 1995, the bill having been read second time and Floor Amendment No. 2 left pending.

C.S.S.B. 60, Relating to the issuance of a license to carry a concealed handgun; requiring of an applicant for the license a handgun proficiency and safety training course and a criminal background check; providing penalties.

Question—Shall Floor Amendment No. 2 to **C.S.S.B. 60** be adopted?

On motion of Senator Patterson and by unanimous consent, Floor Amendment No. 2 was withdrawn.

Senator Patterson offered the following amendment to the bill:

Floor Amendment No. 1

Amend **C.S.S.B. 60** in SECTION 1 of the bill, in Section 3(a)(9) of proposed Article 4413(29ee), Revised Statutes (committee printing, page 2, lines 68-70, and page 3, line 1), by striking everything in Subdivision (9) after "inquiry into any records" and substituting "directly related to determining the applicant's eligibility for a license".

The amendment was read and was adopted by a viva voce vote.

RECORD OF VOTE

Senator West asked to be recorded as voting "Nay" on the adoption of Floor Amendment No. 1.

(President in Chair)

Senator Patterson offered the following amendment to the bill:

Floor Amendment No. 2

Amend **C.S.S.B. 60** in SECTION 1 of the bill, in Section 5 of proposed Article 4413(29ee), Revised Statutes (committee printing, page 4, lines 33-38), by striking Subsection (f) and substituting the following:

(f) A category of handguns contains handguns that are not prohibited by law and are of certain actions. The categories of handguns are as follows:

- (1) SA: any handguns, whether semi-automatic or not; and
- (2) NSA: handguns that are not semi-automatic.

The amendment was read and was adopted by a viva voce vote.

RECORD OF VOTES

Senators Barrientos and West asked to be recorded as voting "Nay" on the adoption of Floor Amendment No. 2.

Senator Patterson offered the following amendment to the bill:

Floor Amendment No. 3

Amend **C.S.S.B. 60** in SECTION 1 of the bill as follows:

(1) Strike Subsection (a) of Section 17 of proposed Article 4413(29ee), Revised Statutes (committee printing, page 11, lines 44-52), and substitute the following:

(a) The director may certify as a qualified handgun instructor a person who:

(1) is certified by the Commission on Law Enforcement Officer Standards and Education or the Texas Board of Private Investigators and Private Security Agencies to instruct others in the use of handguns;

(2) regularly instructs others in the use of handguns and has graduated from a handgun instructor school that uses a nationally accepted course designed to train persons as handgun instructors; or

(3) is certified by the National Rifle Association of America as a handgun instructor.

(2) In Subsection (b) of Section 17 of proposed Article 4413(29ee), Revised Statutes (committee printing, page 11, line 53), strike "A" and substitute "In addition to the qualifications described by Subsection (a) of this section, a".

The amendment was read.

Senator Truan offered the following amendment to Floor Amendment No. 3:

Floor Amendment No. 4

Amend Floor Amendment No. 3 to C.S.S.B. 60 as follows:

Amend C.S.S.B. 60 in SECTION 1 of the bill as follows:

(1) Strike Subsection (a) of Section 17 of proposed Article 4413(29ee), Revised Statutes (committee printing, page 11, lines 44-52), and substitute the following:

(a) The director may certify as a qualified handgun instructor a person who:

(1) is certified by the Commission on Law Enforcement Officer Standards and Education or the Texas Board of Private Investigators and Private Security Agencies to instruct others in the use of handguns; or

(2) regularly instructs others in the use of handguns and has graduated from a handgun instructor school that uses a nationally accepted course designed to train persons as handgun instructors.

(2) In Subsection (b) of Section 17 of proposed Article 4413(29ee), Revised Statutes (committee printing, page 11, line 53), strike "A" and substitute "In addition to the qualifications described by Subsection (a) of this section, a".

The amendment to Floor Amendment No. 3 was read.

On motion of Senator Patterson, Floor Amendment No. 4 was tabled by the following vote: Yeas 22, Nays 8.

Yeas: Armbrister, Bivins, Brown, Cain, Galloway, Harris, Haywood, Henderson, Madla, Moncrief, Montford, Nelson, Nixon, Patterson, Ratliff, Rosson, Shapiro, Sibley, Turner, Wentworth, Whitmire, Zaffirini.

Nays: Barrientos, Ellis, Gallegos, Leedom, Lucio, Luna, Truan, West.

Absent-excused: Sims.

Question recurring on the adoption of Floor Amendment No. 3, the amendment was adopted by a viva voce vote.

RECORD OF VOTES

Senators Barrientos, Ellis, Gallegos, Leedom, Luna, Truan, and West asked to be recorded as voting "Nay" on the adoption of Floor Amendment No. 3.

Senator Gallegos offered the following amendment to the bill:

Floor Amendment No. 5

Amend C.S.S.B. 60 as follows:

(1) On page 10, line 25 and 26, strike "at least 10 hours and not more than 15 hours of instruction on"

(2) Amend Subsection (b) of Section 15 by adding new paragraphs (1), (2), (3) and (4) to read as follows and renumbering the remaining paragraphs:

"(1) 40 hours of instruction on strategies of defense;

(2) 18 hours of instruction on the United States and Texas constitutions;

(3) 7 hours of instruction on the use of force;

(4) 10 hours of instruction on multiculturalism and human relations."

The amendment was read.

On motion of Senator Patterson, Floor Amendment No. 5 was tabled by the following vote: Yeas 21, Nays 9.

Yeas: Armbrister, Bivins, Brown, Cain, Galloway, Harris, Haywood, Henderson, Madla, Moncrief, Montford, Nelson, Nixon, Patterson, Ratliff, Rosson, Shapiro, Sibley, Turner, Wentworth, Zaffirini.

Nays: Barrientos, Ellis, Gallegos, Leedom, Lucio, Luna, Truan, West, Whitmire.

Absent-excused: Sims.

Senator Brown offered the following amendment to the bill:

Floor Amendment No. 6

Amend C.S.S.B. 60 as follows:

(1) In SECTION 1 of the bill, strike Section 13 of proposed Article 4413(29ee), Revised Statutes (committee printing, page 8, line 59 through page 9, line 58), and substitute the following new Section 13:

Sec. 13. SEIZURE OF HANDGUN AND LICENSE. (a) If a peace officer arrests a license holder who is carrying a handgun under the authority of this article for any felony or misdemeanor offense involving moral turpitude, the peace officer shall seize the license holder's handgun and license as evidence.

(b) The provisions of Article 18.19, Code of Criminal Procedure, relating to the disposition of weapons seized in connection with criminal offenses, apply to a handgun seized under this subsection.

(c) Any judgment of conviction entered by any court for an offense under Section 46.035, Penal Code, shall contain the handgun license number of the convicted license holder. A certified copy of the judgment is conclusive and sufficient evidence to justify revocation of a license under Section 11(a)(4) of this article.

(2) Add the following new SECTIONS 3 and 4 to the bill and renumber existing SECTIONS of the bill accordingly:

SECTION 3. Section 46.03(f), Penal Code, is amended to read as follows:

(f) It is not a defense to prosecution to this section that the actor possessed a handgun and was licensed to carry a concealed handgun under Article 4413(29ee), Revised Statutes.

(g) An offense under this section is a third degree felony.

SECTION 4. Chapter 46, Penal Code, is amended by adding Section 46.035 to read as follows:

Sec. 46.035. UNLAWFUL CARRYING OF HANDGUN BY LICENSE HOLDER. (a) A license holder commits an offense if the license holder carries a handgun on or about the license holder's person under this authority of Article 4413(29ee), Revised Statutes, and intentionally fails to conceal the handgun.

(b) A license holder commits an offense if the license holder intentionally, knowingly, or recklessly carries a handgun under the authority of this Article 4413(29ee), Revised Statutes, regardless of whether the handgun is concealed, on or about the license holder's person:

(1) on the premises of a business that has a permit or license issued under Chapter 25, 28, 32, or 69, Alcoholic Beverage Code, if the business derives 51 percent or more of its income from the sale of alcoholic beverages for on-premises consumption;

(2) on the premises where a high school, collegiate, or professional sporting event or interscholastic event is taking place, unless the license holder is a participant in the event and a handgun is used in the event;

(3) on the premises of a correctional facility; or

(4) on privately owned premises commonly used by the public, if the owner of the premises prominently displays at each entrance to the premises a notice that it is unlawful to carry a handgun on the premises.

(c) A license holder commits an offense if the license holder intentionally, knowingly, or recklessly carries a handgun under the authority of Article 4413(29ee), Revised Statutes, regardless of whether the handgun is concealed, at any meeting of a governmental entity.

(d) A license holder commits an offense if, while intoxicated, the license holder recklessly carries a handgun under the authority of Article 4413(29ee), Revised Statutes, regardless of whether the handgun is concealed.

(e) A license holder who is licensed as a security officer under the Private Investigators and Private Security Agencies Act (Article 4413(29bb), Vernon's Texas Civil Statutes) and employed as a

security officer commits an offense if, while in the course and scope of the security officer's employment, the security officer violates a provision of Article 4413(29ee), Revised Statutes.

(f) In this section, "license holder" means a person licensed to carry a handgun under Article 4413(29ee), Revised Statutes.

(g) An offense under Subsection (a), (b), (c), (d), or (e) is a Class A misdemeanor, unless the offense is committed under Subsection (b)(1) or (b)(3), in which event the offense is a felony of the third degree.

The amendment was read.

Senator Barrientos offered the following amendment to Floor Amendment No. 6:

Floor Amendment No. 7

Amend Floor Amendment No. 6 to C.S.S.B. 60 on page 2, line 23 by adding the following:

"(5) in a hospital, or on the premises of a reproductive services clinic or facility;

(6) at an event subject to the regulations of the Mass Gathering Act as defined by Section 751.002 of the Health and Safety Code;

(7) in a vehicle operated by a mass transit agency, company, or school district;"

The amendment to Floor Amendment No. 6 was read.

(Senator Montford in Chair)

On motion of Senator Brown, Floor Amendment No. 7 was tabled by the following vote: Yeas 19, Nays 11.

Yeas: Armbrister, Bivins, Brown, Galloway, Harris, Haywood, Henderson, Madla, Montford, Nelson, Nixon, Patterson, Ratliff, Rosson, Shapiro, Sibley, Turner, Wentworth, Whitmire.

Nays: Barrientos, Cain, Ellis, Gallegos, Leedom, Lucio, Luna, Moncrief, Truan, West, Zaffirini.

Absent-excused: Sims.

Senator Gallegos offered the following amendment to Floor Amendment No. 6:

Floor Amendment No. 8

Amend Floor Amendment No. 6 to C.S.S.B. 60 on page 2, line 23 by adding the following:

"(5) in a hospital;"

The amendment to Floor Amendment No. 6 was read.

On motion of Senator Brown, Floor Amendment No. 8 was tabled by the following vote: Yeas 21, Nays 9.

Yeas: Bivins, Brown, Galloway, Harris, Haywood, Henderson, Leedom, Lucio, Madla, Montford, Nelson, Nixon, Patterson, Ratliff, Rosson, Shapiro, Sibley, Turner, Wentworth, Whitmire, Zaffirini.

Nays: Armbrister, Barrientos, Cain, Ellis, Gallegos, Luna, Moncrief, Truan, West.

Absent-excused: Sims.

Question recurring on the adoption of Floor Amendment No. 6, the amendment was adopted by a viva voce vote.

(President in Chair)

Senator Leedom offered the following amendment to the bill:

Floor Amendment No. 9

Amend C.S.S.B. 60 by striking SECTION 19 in its entirety and inserting in lieu thereof the following:

SECTION 19. CONFIDENTIALITY OF RECORDS. All records maintained under this article, with the exception of medical records, confidential under the Texas Health and Safety Code, and records regarding mental health, confidential under the Texas Mental Health Code, Chapter 531.001, et seq., are subject to disclosure under the open records law, Chapter 552, Government Code.

The amendment was read and failed of adoption by the following vote: Yeas 14, Nays 16.

Yeas: Barrientos, Cain, Ellis, Gallegos, Haywood, Henderson, Leedom, Lucio, Luna, Moncrief, Montford, Ratliff, Truan, West.

Nays: Armbrister, Bivins, Brown, Galloway, Harris, Madla, Nelson, Nixon, Patterson, Rosson, Shapiro, Sibley, Turner, Wentworth, Whitmire, Zaffirini.

Absent-excused: Sims.

Senator Patterson offered the following amendment to the bill:

Floor Amendment No. 10

Amend C.S.S.B. 60 as follows:

(1) In SECTION 1 of the bill, in Subdivision (13) of Section 2(a) of proposed Article 4413(29ee), Revised Statutes (committee printing, page 2, line 19), strike "and".

(2) In SECTION 1 of the bill, in Subdivision (14) of Section 2(a) of proposed Article 4413(29ee), Revised Statutes (committee printing, page 2, line 21), strike the period and substitute "; and".

(3) In SECTION 1 of the bill, add the following new Subdivision (15) to Section 2(a) of proposed Article 4413(29ee), Revised Statutes (committee printing, page 2, between lines 21 and 22):

"(15) has not, in the 10 years preceding the date of application, been adjudicated as having engaged in delinquent conduct violating a penal law of the grade of felony."

(4) Add the following new SECTION 3 to the bill and renumber existing SECTIONS of the bill accordingly:

"SECTION 3. Section 51.16, Family Code, is amended by adding Subsection (m) to read as follows:

(m) On request of the Department of Public Safety, a juvenile court shall reopen and allow the department to inspect the files and records of the juvenile court relating to an applicant for a license to carry a concealed handgun under Article 4413(29ee), Revised Statutes."

The amendment was read.

Senator Montford offered the following amendment to Floor Amendment No. 10:

Floor Amendment No. 11

Amend Floor Amendment No. 10 to **C.S.S.B. 60** as follows:

Add the following new Subdivision (16) to Section 2(a) of proposed Article 4413(29ee), Revised Statutes (Section (3) of Floor Amendment No. 10, between lines 15 and 16):

"(16) has not made any material misrepresentation, or failed to disclose any material fact, in an application submitted pursuant to Section 3 of this article or in a request for application submitted pursuant to Section 4 of this article."

The amendment to Floor Amendment No. 10 was read and was adopted by a viva voce vote.

Question recurring on the adoption of Floor Amendment No. 10 as amended, the amendment as amended was adopted by a viva voce vote.

Senator Henderson offered the following amendment to the bill:

Floor Amendment No. 12

Amend **C.S.S.B. 60** on page 14, beginning on line 3, by deleting Sec. 28 in its entirety.

The amendment was read and was adopted by a viva voce vote.

Senator West offered the following amendment to the bill:

Floor Amendment No. 13

Amend **C.S.S.B. 60** as follows:

(1) Add a new SECTION 3 to read as follows:

SECTION 3. (a) At a general election to be held on November 7, 1995, the voters shall be permitted to vote in a referendum on the question of whether the state should legalize the carrying of concealed handguns.

(b) The ballot shall be printed to permit voting for or against the proposition: "The legalization of the carrying of concealed handguns."

(c) The proposition shall be printed on the ballot beneath any proposed constitutional amendments under the heading: "Referendum Proposition."

(d) Notice of the election shall be given by inclusion of the proposition in the proclamation by the governor ordering the election on the proposed amendments to the state constitution, if any, and in the notice of that election given by each county judge. If proposed amendments to

the state constitution are not to be voted on in conjunction with the referendum, notice of the election shall be given and the election shall be held in the manner applicable to a constitutional amendment election.

(e) The secretary of state shall prepare a brief explanatory statement of the nature of the referendum proposition and submit the statement to the attorney general for approval. The secretary of state shall publish the approved explanatory statement, together with the date of the election and the wording of the ballot proposition as provided by Subsection (b) of this section, twice in each newspaper in this state that meets the requirements prescribed by law for the publication of official notices of officers and departments of the state government. The first notice must be published not more than 60 days nor less than 50 days before November 7, 1995, and the second notice must be published on the same day in the succeeding week. Subchapter B, Chapter 274, Election Code, applies to the publication of the notice required by this subsection.

(f) Returns of the votes cast on the proposition shall be made and canvassed in the same manner as the returns on proposed constitutional amendments.

(g) Immediately after the results of the election are certified by the governor, the secretary of state shall transmit a copy of the certification to the lieutenant governor and the speaker of the house of representatives.

(2) Renumber existing SECTION 3 as SECTION 4 and delete Subsection (a) of that section and insert the following:

(a) Except as provided by Subsection (b) of this section, this Act takes effect September 1, 1995.

(b) Sections 1 and 2 of this Act take effect January 1, 1996, except that a license issued under this Act before April 1, 1996, is not effective until April 1, 1996. A license issued before April 1, 1996, shall be clearly marked to reflect the date on which it becomes effective, and the director of the Department of Public Safety shall inform each recipient of a license issued before that date that the license is not effective until that date.

(3) In the section renumbered as SECTION 4, redesignate Subsection "(b)" as Subsection "(c)" and strike "January" where it appears in this subsection (committee printing page 14, line 51) and substitute "April".

(4) Renumber existing SECTION 4 as SECTION 5 and strike "January" where it appears in this section (committee printing page 14, line 61) and substitute "April".

(5) Renumber existing SECTION 5 as SECTION 6.

The amendment was read and failed of adoption by the following vote:
Yeas 9, Nays 21.

Yeas: Barrientos, Ellis, Gallegos, Henderson, Leedom, Lucio, Luna, Truan, West.

Nays: Armbrister, Bivins, Brown, Cain, Galloway, Harris, Haywood, Madla, Moncrief, Montford, Nelson, Nixon, Patterson, Ratliff, Rosson, Shapiro, Sibley, Turner, Wentworth, Whitmire, Zaffirini.

Absent-excused: Sims.

(Senator Armbrister in Chair)

The bill as amended was passed to engrossment by the following vote:
Yeas 23, Nays 7.

Yeas: Armbrister, Bivins, Brown, Cain, Galloway, Harris, Haywood, Henderson, Lucio, Madla, Moncrief, Montford, Nelson, Nixon, Patterson, Ratliff, Rosson, Shapiro, Sibley, Turner, Wentworth, Whitmire, Zaffirini.

Nays: Barrientos, Ellis, Gallegos, Leedom, Luna, Truan, West.

Absent-excused: Sims.

**MOTION TO PLACE
COMMITTEE SUBSTITUTE
SENATE BILL 60 ON THIRD READING**

Senator Patterson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that C.S.S.B. 60 be placed on its third reading and final passage.

The motion was lost by the following vote: Yeas 23, Nays 7. (Not receiving four-fifths vote of Members present)

Yeas: Armbrister, Bivins, Brown, Cain, Galloway, Harris, Haywood, Henderson, Lucio, Madla, Moncrief, Montford, Nelson, Nixon, Patterson, Ratliff, Rosson, Shapiro, Sibley, Turner, Wentworth, Whitmire, Zaffirini.

Nays: Barrientos, Ellis, Gallegos, Leedom, Luna, Truan, West.

Absent-excused: Sims.

(Senator Montford in Chair)

GUESTS PRESENTED

Senator West was recognized and introduced to the Senate a group of North Dallas High School students.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Nelson was recognized and introduced to the Senate a group of students from Griffin Middle School of The Colony.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Henderson was recognized and introduced to the Senate a group of volunteer fire fighters from Spring.

The Senate welcomed its guests.

(President in Chair)

MESSAGE FROM THE HOUSE

House Chamber
March 15, 1995

Mr. President: I am directed by the House to inform the Senate that the House has passed the following:

H.C.R. 133, Expressing appreciation to the partners and supporters of Operation: Defeat Diabetes in Corpus Christi.

Respectfully,
Cynthia Gerhardt, Chief Clerk
House of Representatives

GUEST PRESENTED

Senator Wentworth was recognized and introduced to the Senate John Schneider, former star of the "Dukes of Hazard" television series. Mr. Schneider will be starring in the upcoming television show "Texas."

The Senate welcomed Mr. Schneider.

GUESTS PRESENTED

Senator Bivins was recognized and introduced to the Senate Eric Rathbun of Amarillo, who is celebrating his eighth birthday today. Accompanying Eric were his grandparents, Paul and Liz Rathbun of Wimberley.

The Senate welcomed its guests.

SENATE RESOLUTION 293

Senator West offered the following resolution:

S.R. 293, Designating March 14 and 15, 1995, as Delta Days at the State Capitol in honor of the Delta Sigma Theta Sorority, Incorporated.

The resolution was again read.

The resolution was previously adopted on Thursday, February 23, 1995.

GUEST PRESENTED

Senator Gallegos was recognized and introduced to the Senate his daughter Melissa, serving today as an Honorary Senate Page.

The Senate welcomed its guest.

(Senator Armbrister in Chair)

GUESTS PRESENTED

Senator Patterson was recognized and introduced to the Senate his parents, Bob and Georgia Auderer, and his son, Travis.

The Senate welcomed its guests.

SESSION TO CONSIDER EXECUTIVE APPOINTMENTS

The Presiding Officer announced the time had arrived to consider the executive appointments to agencies, boards, and commissions. Notice of submission of these names for consideration was given yesterday by Senator Bivins.

Senator Bivins moved confirmation of the nominees reported yesterday by the Committee on Nominations.

The Presiding Officer asked if there were requests to sever nominees.

Senator Bivins requested that the following nominees be severed:

To be Members of the INTERAGENCY COUNCIL ON EARLY CHILDHOOD INTERVENTION SERVICES: Claudette Wilkinson Bryant, Dallas County; Karen Douglas, Bexar County; Dr. Tammy H. Tiner, Brazos County.

The request was granted.

NOMINEES CONFIRMED

The following nominees, not severed and reported yesterday by the Committee on Nominations, were confirmed by the following vote: Yeas 30, Nays 0.

Absent-excused: Sims.

Commissioner of Health and Human Services: DR. MICHAEL D. McKINNEY, Harris County.

Director of the Office of State-Federal Relations: LAURIE M. RICH, Dallas County.

Members, Coastal Water Authority Board of Directors: BUSTER E. FRENCH, Liberty County; JOHNNIE G. JENNINGS, Chambers County; JOSEPH G. SOLIZ, Harris County.

Members, Family Practice Residency Advisory Committee: DR. SHERYL H. BOYD, Lubbock County; TAMARA J. COWEN, Cameron County.

Members, Hospital Licensing Advisory Council: JAMES W. BEARD, JR., Fort Bend County; LARRY M. GRAHAM, Williamson County; DR. RONALD D. STEPHENS, Limestone County.

Justice of the Court of Appeals, Second Court of Appeals District: JUDGE WILLIAM H. BRIGHAM, Tarrant County.

Justice of the Court of Appeals, Fifth Court of Appeals District: JUDGE CAROLYN WRIGHT, Dallas County.

Members, Texas National Guard Armory Board: BRIGADIER GENERAL LILLIAN DUNLAP (Retired), Bexar County; SIMON TAMEZ, Hidalgo County.

Members, On-Site Wastewater Treatment Research Council: JAMES N. BROOKES, Potter County; JOSE M. GIL, Travis County; RICK GOLDBERG, Travis County; HECTOR GUERRA, SR., Hidalgo County; NANCY KAY HANSON, El Paso County; DR. B. L. HARRIS, Brazos County; JAMES R. JOHNSON, Lubbock County; MILTON L. KERSTEN, Hidalgo County; ANN NEIL MCGINLEY, Travis County; MARGARITA GIRON SANCHEZ, El Paso County; CHESTER VAUGHN, Dallas County.

Members, Texas State Board of Examiners of Psychologists: ANN M. ENRIQUEZ, El Paso County; JAMES DONALD GOLDSTON, Denton County; JANE HALEBIAN, Dallas County; DENISE SHADE, Dallas County; DR. EMILY G. SUTTER, Harris County.

SENATE BILL 49 ON SECOND READING

On motion of Senator Moncrief and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 49, Relating to persons authorized to place a child for adoption; providing a penalty.

The bill was read second time and was passed to engrossment by a viva voce vote.

SENATE BILL 49 ON THIRD READING

Senator Moncrief moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **S.B. 49** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Sims.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

MOTION TO ADJOURN

On motion of Senator Truan and by unanimous consent, the Senate at 12:56 p.m. agreed to adjourn, upon completion of the introduction of bills and resolutions on first reading, until 10:30 a.m. tomorrow.

SENATE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions were introduced, read first time, and referred to the committees indicated:

S.J.R. 50 by Rosson Finance
Relating to proposing a constitutional amendment authorizing the legislature to provide for the issuance of bonds and state financing to encourage and assist compliance with federal and state air quality requirements.

S.J.R. 51 by Montford Finance
Proposing a constitutional amendment consolidating general obligation bonding authority for certain agricultural funds.

S.B. 12 by Montford Natural Resources
Relating to administrative hearings for the Texas Natural Resource Conservation Commission provided by the State Office of Administrative Hearings.

S.B. 14 by Bivins, Sims, Armbrister, State Affairs
Galloway, Nelson
Relating to protecting private real property rights from certain actions of this state or a political subdivision of this state.

S.B. 374 by Armbrister State Affairs
Relating to the review and continuation of certain state agencies subject to the Texas Sunset Act.

S.B. 1112 by Nelson Economic Development
Relating to industrial development corporations created by certain cities and the taxes levied for projects of those corporations.

S.B. 1113 by Sims, Armbrister, Brown Natural Resources
Relating to the limitation and termination of annual cost recovery fees for regional water quality assessments.

S.B. 1114 by Barrientos Intergovernmental Relations
Relating to the composition of the workforce in certain fire and police departments.

S.B. 1115 by Barrientos State Affairs
Relating to authorizing the General Services Commission to purchase certain real property on behalf of the state.

S.B. 1116 by Leedom State Affairs
Relating to the Texas Incentive and Productivity Commission and its operation of the state employee incentive program and the productivity bonus program.

S.B. 1117 by Bivins Natural Resources
Relating to the refund of license and registration fees by the Department of Agriculture.

S.B. 1118 by Bivins Criminal Justice
Relating to the operation and implementation of the correctional managed health care plan.

S.B. 1119 by Bivins Economic Development
Relating to the application of the doctrine of forum non conveniens.

S.B. 1120 by Bivins Natural Resources
Relating to permitting the creation of gas marketing cooperative corporations under the authority of the Railroad Commission of Texas and providing a state franchise tax exemption for such associations.

S.B. 1121 by Moncrief, West Criminal Justice
Relating to continuing education training programs for peace officers.

- S.B. 1122** by Moncrief, West Criminal Justice
Relating to certain records maintained by the Commission on Law Enforcement Officer Standards and Education.
- S.B. 1123** by Moncrief Intergovernmental Relations
Relating to benefits and administration of retirement systems in certain municipalities.
- S.B. 1124** by Cain Criminal Justice
Relating to the compilation and use of information pertaining to criminal combinations; providing a penalty.
- S.B. 1125** by Nixon, Sims Natural Resources
Relating to hearings on the renewal, amendment, or modification of certain emissions permits.
- S.B. 1126** by Nixon, Sims Natural Resources
Relating to the definition of "modification of existing facility" under the Texas Clean Air Act.
- S.B. 1127** by Ellis Finance
Relating to public funds investment pool portfolios.
- S.B. 1128** by Ellis State Affairs
Relating to the deposit, investment, safekeeping, and records and reports of, and collateral requirements for the deposit of, funds held by the state treasurer.
- S.B. 1129** by West State Affairs
Relating to the designation of a portion of certain highways in Dallas County as the S. M. Wright Freeway.
- S.B. 1130** by West Health and Human Services
Relating to a reduction in AFDC benefits for certain children who do not regularly attend school.
- S.B. 1131** by West Criminal Justice
Relating to offenses committed against the elderly.
- S.B. 1132** by West Criminal Justice
Relating to the creation of the offense of indecency with an elderly or disabled individual.
- S.B. 1133** by West Finance
Relating to the requirement of advance approval for certain international travel.
- S.B. 1134** by Whitmire Education
Relating to an exemption from tuition and fees at a public institution of higher education for peace officers disabled in the line of duty.
- S.B. 1135** by Madla Criminal Justice
Relating to the Commission on Law Enforcement Officer Standards and Education.

- S.B. 1136** by Haywood Finance
Relating to sales and use tax revenue calculations.
- S.B. 1137** by Gallegos Economic Development
Relating to the collection of certain fees charged by a credit services organization in connection with certain regulated loans; imposing a sales tax.
- S.B. 1138** by Gallegos Economic Development
Relating to the regulation of automobile brokering.
- S.B. 1139** by Cain State Affairs
Relating to duties and responsibilities of the Motor Vehicle Board of the Texas Department of Transportation.
- S.B. 1140** by Ellis Finance
Relating to incentives for motor vehicles propelled by liquefied gas.
- S.B. 1141** by Ellis Finance
Relating to incentives for mass transit authority motor vehicles propelled by liquefied gas.
- S.B. 1142** by Ellis Finance
Relating to clean-fuel vehicle sales tax exemptions.
- S.B. 1143** by Patterson Health and Human Services
Relating to the creation of the Texas Health Care Information Council; providing civil penalties.
- S.B. 1144** by Patterson Criminal Justice
Relating to firearm safety; to limiting access by children to firearms and to firearm safety education for schoolchildren; providing penalties.
- S.B. 1145** by West Health and Human Services
Relating to use of osteopathic hospitals by health maintenance and preferred provider organizations.
- S.B. 1146** by Lucio Natural Resources
Subcommittee on Agriculture
Relating to citrus fruit maturity standards.
- S.B. 1147** by Lucio Natural Resources
Relating to litter abatement of self-generated litter.
- S.B. 1148** by Madla Intergovernmental Relations
Relating to the retirement system for police officers and firefighters in certain municipalities.
- S.B. 1149** by Ellis Health and Human Services
Relating to regulation of end stage renal disease facilities; providing criminal penalties.
- S.B. 1150** by Shapiro Economic Development
Relating to continuing education of insurance adjusters by reciprocity.
- S.B. 1151** by Ellis Finance
Relating to the transfer of tax liens.

Natural Resources

Intergovernmental Relations

Education

Jurisprudence

Finance

State Affairs

Economic Development

State Affairs

Finance

Health and Human Services

Health and Human Services

Intergovernmental Relations

Economic Development

Economic Development

Criminal Justice

- S.B. 1167** by Shapiro Natural Resources
Relating to use of solid waste fee revenue for local and regional activities.
- S.B. 1168** by Shapiro, Sims Criminal Justice
Relating to requirements for the segregation of classes of inmates in county jails and for capacities in county jails.
- S.B. 1169** by Shapiro Economic Development
Relating to the regulation of foreign credit unions.
- S.B. 1170** by Lucio Natural Resources
Relating to the authority of a coastal municipality to undertake projects affecting beaches, dunes, bays, and similar natural resources, to issue bonds, and to impose an ad valorem tax.
- S.B. 1171** by Lucio Jurisprudence
Relating to the district courts in Cameron, Hidalgo, and Willacy counties.
- S.B. 1172** by Lucio Natural Resources
Relating to the exclusion of nonirrigated property from certain water districts.
- S.B. 1173** by Lucio Natural Resources
Subcommittee on Agriculture
Relating to creating the Citrus Budwood Advisory Council within the Department of Agriculture for the purpose of establishing and administering a Texas Citrus Budwood Certification Program to supervise the approval of foundation groves containing citrus trees from which citrus budwood is certified as non-diseased and as to type of citrus variety.
- S.B. 1174** by Lucio State Affairs
Relating to the weight of vehicles transporting recyclable materials.
- S.B. 1175** by Lucio Health and Human Services
Relating to the certification of persons as advocates for victims of sexual assault and to confidential communications; providing criminal penalties.
- S.B. 1176** by Lucio Economic Development
Relating to the conservation of credit unions.
- S.B. 1177** by Armbrister State Affairs
Relating to filings made with the secretary of state by public safety organizations, public safety publications, and certain independent promoters.
- S.B. 1178** by Armbrister State Affairs
Relating to the regulation of athlete agents and providing for the issuance of subpoenas and other process in investigations by the Secretary of State.
- S.B. 1179** by Armbrister State Affairs
Relating to veterans organizations filing with the secretary of state.
- S.B. 1180** by Armbrister Natural Resources
Relating to conservation districts.

S.B. 1421 by Truan, International Relations, Trade, and Technology
Lucio, Rosson, Zaffirini
Relating to the making of, and the issuance of bonds for, international
cooperation agreements by state agencies and political subdivisions.

S.R. 443 - By Montford: Congratulating Shaili M. Khandheria of Lubbock on earning a 1995 Women of Excellence Award.

S.R. 444 - By Montford: Congratulating Betty L. Baker of Lubbock on earning a 1995 Women of Excellence Award.

S.R. 445 - By Montford: Congratulating Billie Wolfe of Lubbock on earning a 1995 Women of Excellence Award.

S.R. 446 - By Montford: Congratulating Tammy D. Barnes Fedynich of Lubbock on earning a 1995 Women of Excellence Award.

S.R. 447 - By Montford: Congratulating Louise T. Cummins of Lubbock on earning a 1995 Women of Excellence Award.

S.R. 449 - By Montford: Congratulating Dr. Marian Solowy Myers of Lubbock on earning a 1995 Women of Excellence Award.

S.R. 450 - By Ellis: Recognizing J. Cooper International Academy Tennis Foundation, Incorporated, on its first annual birthday celebration.

S.R. 452 - By Barrientos, Armbrister: Commending Clifford L. Caskey, who retired after 18 years of service with the Hays County Extension Service.

S.R. 454 - By Henderson: Honoring the Ponderosa Volunteer Fire Department for its accomplishments in providing for the safety needs of its community.

S.R. 455 - By Haywood: Recognizing the Archer County War Memorial Committee, which is raising funds to construct a monument to Archer County veterans.

S.R. 457 - By Brown: Congratulating Jennifer Brown of Lake Jackson on the occasion of her 21st birthday.

S.R. 458 - By Barrientos: Commending Larry Crumpton on the occasion of his retirement after 22 years of service with the State of Texas.

S.R. 459 - By Barrientos: Recognizing March 21, 1995, as Retired State Employees Association Day.

H.C.R. 133 - (Truan): Commending the partners and supporters of Operation: Defeat Diabetes in Corpus Christi.

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 1:12 p.m. adjourned until 10:30 a.m. tomorrow.

APPENDIX

REPORTS OF STANDING COMMITTEES

The following committee reports were received by the Secretary of the Senate:

March 15, 1995

ECONOMIC DEVELOPMENT — H.B. 856, S.B. 885, S.B. 417, S.B. 529

CRIMINAL JUSTICE — S.B. 322, S.B. 146 (Amended), C.S.S.B. 281, C.S.S.B. 576, C.S.S.B. 222, C.S.S.B. 68

NATURAL RESOURCES — C.S.S.B. 810, S.B. 811, C.S.S.B. 219, S.B. 424 (Amended), S.B. 814, S.B. 733 (Amended)

INTERNATIONAL RELATIONS, TRADE, AND TECHNOLOGY — S.B. 981, S.B. 1420

THIRTY-SIXTH DAY

(Thursday, March 16, 1995)

The Senate met at 10:30 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brown, Cain, Ellis, Gallegos, Galloway, Harris, Haywood, Henderson, Leedom, Lucio, Luna, Madla, Moncrief, Montford, Nelson, Nixon, Patterson, Ratliff, Rosson, Shapiro, Sibley, Truan, Turner, Wentworth, West, Whitmire, Zaffirini.

Absent-excused: Sims.

A quorum was announced present.

The Reverend Dr. Steven Wright, Park Hills Baptist Church, Austin, offered the invocation as follows:

Heavenly Father, how we give You praise today for the precious gift of life! Thank You that in Your sovereignty You have given us the breath of life for yet another day.

In light of Your kindness, Father, we commit to live this day to Your glory and for the greatest good of our beloved Texas.

May the matters before us in these Senate chambers (which reverberate with the echoes of our wonderfully rich history) be integrated through the eyes of a God who is a lover of life and an embracer of all who promote such causes.

In particular, give wisdom to those here who would discuss the rights of parents and guardians over their children. May the "bottom line" of profit and loss not be our true "bottom line." May our pre-teens and our teenagers and their parents and guardians learn from these, our leaders, that the family is of utmost regard in the hearts and minds of our Senators.

May courage and moral rightness rule the day and the weeks ahead in this matter, dear Lord. Bless these in authority over us.